

REMARKS

Claims 1-34 were acted upon in the aforesaid Office Action. Claims 12, 13, 21 and 31 have been canceled and no new claim has been added, leaving claims 1-11, 14-20, 22-30 and 32-34 for consideration.

The drawings stand objected to for failure to show reference characters 22, 44, 58, 77, 92, 97 and 98.

Reference character 22 has been added to Fig. 4, along with reference character 13.

Reference character 44 has been added to Fig. 8.

Reference character 58 has replaced reference character 48 in Fig. 10. Reference character 48 is shown in Fig. 8.

Reference character 77 has been added to Fig. 12.

Reference characters 92, 97 and 98 have been added to Fig. 13.

In addition, reference character 18 has been added to Fig. 2, and reference character 59 to Fig. 10, and reference character 84 to Fig. 13.

Replacement sheets of drawings are submitted herewith, with the added reference characters thereon.

Claim 1 stands objected to for use of the phrase "each of the elements", inasmuch as there are different elements recited

in the claim. The words "each of the elements" has been deleted from claim 1.

Claim 3 stands objected to with respect to the recitation therein of "comprises a selected one of". The language referred to has been deleted from the claim.

Claim 7 stands objected to in that "the cut-outs" and "the ring" each lack an antecedent basis. The word "the" prior to "cut-outs" (now amended to read "drillings") has been stricken, and "the ring (35)" has been amended to read "the circular connecting element (35)".

Claim 9 stands objected to for lack of antecedent basis for "the shaft". The language has been changed to read "a shaft".

Claim 19 stands objected to for lack of an antecedent basis for "the elements". The claim has been amended to read "the bar elements and the connection elements".

Claim 34 stands objected to for lack of antecedent basis for "the guiding drill-hole" and "the plugging cavity". The language has been amended to read "a guiding drill-hole" and "a plugging cavity".

Claims 1-26 and 29 stand rejected under 35 U.S.C. 112 as being indefinite and failing to distinctly claim the invention.

Independent claims 1, 14, 27 and 28 have been reviewed and extensively amended to focus in on the invention. It is believed that claim 1 sets forth a definition of a system including "bar elements" joinable to form a truss. The language referred to by the Examiner, i.e., "surface of a surface" has been amended.

Claim 6 has been amended to delete "cut-out" and insert -- drilling --, which is described in the specification on page 17, second paragraph, and referred to on page 19, first and second paragraphs. The drilling 13 is shown in Fig. 1 of the drawings.

Claim 11 has been amended to make clear that a bar-element may be inserted between two connection elements and is provided on its ends with configurations complementing with ends of the connection elements by fitting over or within the connection element ends.

Claim 12 has been canceled.

In claim 14, the words "to be" have been deleted.

In claim 15, in the words "and/or", "or" has been deleted.

In claim 24, the language "potentially present" has been deleted.

In claim 29, the language "holding and/or" has been deleted. Also, "processing tools" has been changed to -- machining tools -- to be consistent with the specification, page 26, line 32 and page 27, line 4. The claim has been amended to more accurately define the machine shown in Fig. 12.

Claims 1-3, 7-11 and 14-17 stand rejected under 35 USC 102 as anticipated by U.S. Patent 2,209,318 - Benjamin.

Claim 1 has been amended to limit the system to including multiple bar elements connected to a connection element, wherein multiple bar elements are connected to one connection element, and wherein the connection element comprises multiple connecting structures in the shape of recesses, each recess surrounding a core and having two concentric bounding surfaces for the connection of each bar element, the two bounding surfaces defining an annular recess.

In Benjamin, there are no annular recesses for the receipt of a tubular member.

Claims 2-11 depend directly or ultimately from claim 1 and would appear to be allowable at least through dependency.

Claims 27-30 and 32-34 stand rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent 3,486,209 - Shultz.

Shultz relates to a turret lathe with a turret mounting several tools thereon. The turret is rotatable and movable linearly to provide flexibility in positioning the tools for operations, such as drilling.

Claim 27 is limited to an apparatus for producing a truss from bar elements and connecting elements, the apparatus including a cutting tool for producing an annular recess having two concentric bounding surfaces for connection to a bar element.

It appears that the Shultz machine is not adapted to produce annular recesses having two concentric bounding surfaces. Accordingly, it appears that Shultz fails to anticipate amended claim 27.

Claims 32-34 depend directly or ultimately from claim 27, and would appear to be allowable at least through dependency.

Claims 1-11, 14-20 and 22, 23, 25 and 26 stand rejected under 35 U.S.C. 103 as unpatentable over U .S. Patent 4,505,609 - Vella in view of U.S. Patent 2,703,724 - Der Yuen, et al.

As noted above, claim 1 has been amended to limit the system to including multiple bar elements connected to one connection element, wherein the connection element comprises multiple connecting structures in the shape of recesses, each

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recess surrounding a core and having two concentric bounding surfaces defining an annular recess, each recess being adapted to receive a bar element.

In Vella, there is provided a shelter frame wherein frame pieces 12 are connectable to each other. However, there appears to be no connection element. The frame pieces are connectable to each other. The frame pieces have threaded portions (16) by which the frame pieces are connectable to each other, by plugs (26), or studs (30) or bolts (32).

In view thereof, it does not appear that Vella would suggest to one skilled in the art the system defined by claim 1.

Der Yuen shows bar elements B connectable to each other by a bolt 16, 23, 25, 26, or pin 36. The Der Yuen coupling union 19 appears to be a connection element, but appears to have three sockets (19a in Fig. 4) for receiving bolts (16), which sockets are not annular recesses surrounding a core, as called for in amended claim 1.

It therefore appears that the combination of Vella and Der Yuen falls short of rendering obvious the system defined by claim 1, as amended.

Claims 2-11 depend from claim 1, directly or ultimately, and would appear not to be rendered obvious by the combination of Vella and Der Yuen.

Claim 14 is also limited to the annular recess feature, which is not shown or suggested by Vella and/or Der Yuen.

Claims 15-20 and 22-26 depend directly or ultimately from claim 14 and would appear to be allowable, at least through dependency.

Claim 24 stands rejected under 35 U.S.C. 103 as unpatentable over Vella in view of Der Yuen, and further in view of U.S. Patent 1,799,501 - Casler.

Claim 24 depends ultimately from claim 14. Casler adds to the prior art cited only the ventilation of a bamboo pole. Casler appears not to show or suggest any of the features of claim 14, from which claim 24 depends. It therefore appears that claim 24 should be deemed allowable by way of dependency.

Claim 28, as amended, is limited to apparatus including a cutting tool for forming two surfaces simultaneously, to wit, the inner and outer surfaces of a bar element. Of the cited art, only Shultz appears to provide a cutting tool, and the Shultz cutting tool does not appear to form inner and outer

surfaces simultaneously. It is therefore believed that claim 28 distinguishes over the cited prior art.

Claims 32-34 depend directly or ultimately from claim 27 and would appear to be allowable, at least through dependency.

In summary, it is believed that the several objections have been overcome and that the substance of claims 1-11, 14-20, 22-30 and 32-34 has not been shown or suggested by the cited art, and that such claims, as amended, are in allowable condition.

Accordingly, allowance thereof is most respectfully requested.

In the event that any additional fees may be required in this matter, please charge the same to Deposit Account No. 16-0221.

Respectfully submitted,



Scott R. Foster
Registration No. 20,570
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, MA 02451-1914
Tel. (781) 290-0060

Mailing Certificate

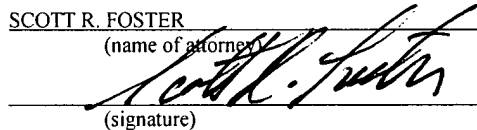
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